(16-P)

Previous references.

1903.
(Sep. Rev.)

File No. 137-03
Serial Nos. 5 & 6.

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 5 & 6.

Major
~~Part~~ B. for May 04.

SUBJECT

Rules regulating the appointments and promotions in the Excise Department

To the Excise Commr, no 761 & 24.5.04: calls for his opinion regarding certain additions proposed to be made to the notification published in the Gazette on the subject.

From do - no 8490/356 & $\frac{27}{30}$.5.04: states that the proposed alteration may be considered along with the rules whose introduction is under contemplation in the Rev. Deptt

G. R. S. 58

Communicated for Review

GPB—4,000—4-7-11

(note contd)

S.R. file no. 137-03.

Flg 4 The notification under reference containing rules for regulating the appointments and promotions in the Excise Dept was issued on the authority of the G.O. no. 627 Ex 7-1-97 dt 22/3/04. In the Gazette copy of the notification the 1st Councillor makes the following addition to rule (6):- "or unless in the opinion of the officer making the appointment he has a fair knowledge of that language." He suggests that the above addition is absolutely necessary because an applicant who may be a

SR/137-03
Flg 3
SR 4

a good Kanada scholar may not have taken it as his optional language for the matric. He also suggests that with the Dewan's kind permission the Excise Comm^r may be consulted and the modification published as early as practicable.

A draft regarding the opinion of the Excise Comm^r

Subs. to Sec.

13/5/04.

1,3,3,7,

Draft submitted to the Dewan

In recent years many candidates take Sanskrit as their optional language even from very low classes. The addition proposed to the Rule seems therefore very desirable

14/5/04

17750/16.V.

3

The Draft alluded to above was issued

Flag C · 761 / 4.7.1-97 & 24.5.04

Letter No 8990/366 & 27/30 .5.04 from the Secretary Comm[n]. submitting that the alterations proposed in the above may be considered along with the Rules believed to be under contemplation in the Rev Deptt.

Flag B

Note:

It is ascertained from the Rev. Deptt that no such rules are under contemplation - ~~Notification cancelled~~ All matters connected with the Local Service Examinations are dealt with in the Genl Branch. Enquiry made there shows that no such rules are under contemplation there.

Yes - they are (Flag D)

Subd for orders
M.L.
1.6.04

Recd 2.6.04

S.S.

Look into this and speak to me
Ed 18/6/04

Subd
The file was sent back to the Branch on the 24th inst 04.

Rules 5 & 7 of the Draft rules under contemplation in the Rev Dept. seem to apply to the Secs Rules for Orders

Lay before the Comr
19.7.1904

Rules 5 & 7 of the Rules for the Rev. Deptt (Orders 1897)

97
19-7-04

Recd 18/7/04

I do not think that the Rules regarding recruitment to Lower in the Revenue Dept, have any bearing upon the question now under consideration. We have framed a separate rule for the Excise Dept. In doing so, we have made a gap in Kannada in which a sensible qualification. So that there are obvious objections. A knowledge of that language is what is required & not a gap in it. The modification I have proposed seems desirable and may be sanctioned. This involves the addition to Rule (6) of the words "or unless in the opinion of the Officer making the appointment he has a fair knowledge of that language".

Submitted for orders 19-7-04.

Devan Sahib for orders

20/7/1904

394/21.7.04.

May we not wait till we know the rule works and whether any practical inconvenience is experienced from paucity of candidates?

To 1st Member 22.VII

152/25-7-04.

23.7.1904.

The above remarks seem to show that we should only attempt a change in case there should be a paucity of candidates who have opted with Kannada as their additional language - In this position I regret my inability to agree - I am claiming in favor of ~~candidates~~ being insisted upon a good knowledge of Kannada in candidates seeking employment in the Civil Debt. Further than this I am unable to go - As an additional with an excellent knowledge of Kannada to be excluded for the mere reason that he took up Sanskrit or some other language for his examination & that there is no paucity of candidates who have opted with Kannada as their additional language - I would beg the Govt to reconsider his opinion -

26/7/04

Submitted to the Govt

Dated 26-7-04

532/28.7.04

6

XXY

184/

Dear,

Under the Thekkadi scheme recently sanctioned what is required is not a Pass in Kannada but only "ability to read & write Kannada with facility". And this is all that should be insisted in the case of our Excise officials. Kindly place this note in the file relating to the latter - the file has already gone to the Secretariat. Note may be called for here in continuation.

Yours sincerely
P. Krishnaswamy

To Branch II 29-7-
for compliance

29-7-1904

35th

As at present is a rule need not be changed on special grounds or on grounds of symmetry unless there is a real necessity for it - or any hardship has resulted. When such cases turn up let us by all means consider the matter of the Collector under this may be placed before Council - We have no reason to ~~suppose~~ doubt our subordinate in this matter

16-XII-04

From Secy Excise

5327
2/12/04

In 1880 Circular -
22-12-04
Circulated

G.R.S. 12]

General and Revenue Secretariat.

S.R File No. 137 of 1903-04

Serial No.	
	Thanks. The question may be dropped for the present & may be looked up later on if necessary. Q.
	22/12/04.
	Q
	29.12.1904
	29/12/04
	To be filed with E & F 1-97.
	3/1/05.

The Mysore Gazette.

Vol. 39.] **PUBLISHED BY AUTHORITY.** **[No. 17.**

BANGALORE, THURSDAY, APRIL 28, 1904.

PART II.

Notifications by Govt. of India, Resident, Chief Court, &c.

FINANCIAL DEPARTMENT.

Circular G. No. 2044—*No. T. A. D. Gr.* 1741-2, *dated* 11—13*th April* 1904.

To—The Deputy Commissioners, Treasury Department of all Districts.

Adverting to para 3 of Government Proceedings No. G. 242-3—Ed., dated 20th July 1903, he Officiating Comptroller has the honor to request that in future contributions towards the ost of maintenance of Anglo-Vernacular and Sanskrit Schools in rural parts may be credited to a new sub-head under XVI Education.

6 " Contribution by the people towards Anglo-Vernacular and Sanskrit Schools in rural tracts," altering sub-head 6 to 7 Savings, etc.

ACCOUNT CURRENT DEPARTMENT.

To—The Deputy Commissioners of Districts, Treasury Department.

Circular No. A. C. 1395, *dated* 15*th April* 1904.

Under the authority of Government Proceedings No. G. 5062—102, dated 9th April 1904, the Officiating Comptroller has the honor to direct the Treasury Officers, Districts and Taluks, to recover the rents due from Civil Officers occupying Government buildings, as given in the rent statements forwarded to them in duplicate by the Executive Engineers of Divisions, regularly by deduction from the salary bills of such officers, crediting the amounts thus recovered in the accounts to 34. Account Current between Civil and Public Works Department (1) Public Works, ordinary " *d* Items adjustable by Public Works Department."

H. EAGLES, *Offg. Comptroller.*

FOREST DEPARTMENT.

Notice, dated 13*th April* 1904.

Under Section 40 of the Forest Regulation of 1900, the undermentioned drift teak and bite logs found adrift in the Kapila river last year is now in charge of the Range Officer, Heggaddevankote. Persons claiming the same may present to the District Forest Officer, Mysore District, within a month from this date a written statement of such claim, failing which the ownership of the timber shall rest in the Government free from all encumbrances.

2. The person or persons entitled to recover possession of the timber will be required to pay to the Forest Officer such sum as may be due for salving and storing the same :—

Serial No.	Kind of timber.	Marks, etc., on the log.	Length. Ft.	Length. In.	Girth.	Cubical contents. Ft.
1	Teak logs ...	Numbered as 92 as the logs. Lying in Itna village kadu.	13	9	6′—6″	35
2	Bite logs ...	No marks or numbers on the log. Lying at Kittur village in Patel's custody.	17	0	3′—0″	10

Notification dated 17th April 1904.

It is hereby notified for general information that the following quantities more or less of minor forest produce will be sold by public auction in the Depôts and Koties of the Mysore District on the dates specified against each :—

No.	Name of Depot or Koti.	Date of sale.	Designation of the officer conducting the sale.	Minor Forest Products. Gall-nuts. Maunds.	Gall-nuts. lbs.	Honey. Mds	Honey. lbs	Bees wax. Mds	Bees wax. lbs	Deer horn. Mds	Deer horn. lbs	Seege kayi. Mds	Seege kayi. lbs	Lac 1st class. Mds	Lac 1st class. Ps	Lac 2nd class Mds	Lac 2nd class lbs
1	Mysore woodyard ..	2—5—04	District Forest Officer.	2,423	7	9	17	8	27	11	24	97	..	...	...	...	..
2	Seringapatam Koti...	3—5—04	Do ...	1,678	...	1	26	...	22	...	...	...	...	44	...	...	7
3	Chamrajnagar Depôt.	5—5—04	Range Officer, Chamrajnagar.	2,000	...	...	...	...	...	...	...	...	...	...	...	...	...
4	Gundlupet do	7—5—04	Range Officer, Gundlupet.	4,000	...	1	26	6	27	1	5	...	...	...	...	...	...
5	Hunsur Koti ...	9—5—04	Range Officer, Hunsur.	1,794	21	...	...	...	...	...	...	...	...	...	...	...	...

Terms of sale.—*Vide* Inspector General's Notification, dated 11th June 1887, published at pages 287–288 of the *Mysore Gazette*, dated 18th June 1887.

C. APPAIYA, *Dt. Forest Officer, Mysore Dt.*

EXCISE DEPARTMENT.

SALE OF DRUG SHOPS FOR 1904-05.

Notice No. 7402-7, *dated* 11*th April* 1904.

1. Notice is hereby given that the exclusive privilege of selling intoxicating drugs in each of the shops specified in the schedule hereto appended, for the twelve months beginning with 1st July 1904 and ending with 30th June 1905, will be put up to public auction by the respective Deputy Commissioners or by Assistant Commissioners specially authorized by the Deputy Commissioners for the purpose, at the respective taluk or sub-taluk head-quarters, on the dates specified in the said schedule, subject to the conditions hereinafter set forth.

2. Each bidder at the auction will deposit a sum of Rs. 5, or such other reasonable amount as may be fixed by the officer conducting the sale, previous to bidding, provided that the Government may at any time dispense with such initial deposit. Each shop will be knocked down to the approved highest bidder, subject to formal confirmation by the Deputy Commissioner, who will be at liberty to accept or reject the bid at discretion without assigning reasons for the same. Such formal confirmation will, *unless revised by Government*, be tantamount to an acceptance of the bid. Parties intending to bid must attend either in person or by duly accredited agents. No shop shall be knocked down in the name of more than one person or of more than one company or firm duly represented. The selling officer shall refuse to register as purchaser any one in whose name the bidding has not proceeded.

3. As soon as the auction is completed, the deposits made by the unsuccessful bidders and not forfeited as hereinafter provided, will be returned to them. As the auction proceeds, the person whose bid is accepted for each shop shall at once deposit a sum equal to $\frac{1}{6}$ths of a month's rent for that shop. Should he fail to do so, the deposit made by him under para 2 will be forfeited, the shop will at once be put up again on the above conditions, and he will be debarred from bidding again for the same or for any other shop.

4. The persons to whom the shops have been knocked down, and who have made deposits as provided in paras 2 and 3, shall also be required to leave his address with the sale conducting officer in order that the confirmation of the sale may be communicated to that address by a notice, etc., and he shall, within 7 days, after the service of the said notice by its presentation to the purchaser or any adult male member in the place of said address or by its being affixed thereto or by its forwardal duly registered by post, pay at the Taluk Treasury concerned such further sum as, with the first and second deposits, will make up an amount equal to two months' rent of each shop knocked down to them; and shall take out licenses and execute a

counterpart engagement, in the prescribed forms, on the conditions hereinafter set forth. On the failure of any person to make the deposit or to take out license or to execute the counterpart engagement, as aforesaid, the shop will be re-sold at the risk of such person, or if the auction hereby notified has already been completed, will be otherwise disposed of at the discretion of the Deputy Commissioner. In the case of the purchaser's death after the confirmation of the sale, it will be binding on his heirs or assigns.

5. Re-sales effected under para 4 will be at the risk of the defaulting bidder, who will forfeit all gain; and in the event of a loss by re-sale or other disposal he will make good the deficiency between the total amount payable for the whole period under the terms of the original sale and the total amount payable by the successful bidder at the re-sale or other disposal. In the latter case, the forfeited deposit will be deducted from the loss arising from the re-sale and the remainder, if any, will be recovered from the bidder in the same manner as if it were an arrear of land revenue. Should, however, the forfeited deposit be greater than the loss by re-sale, the whole of such deposit will be credited to Government.

6. The license to be taken out under para 4 above, shall be subject to the following conditions, namely:—

(1) The amount for which the privilege has been purchased shall be payable into the Taluk Treasury on the prescribed challan in equal monthly instalments commencing from July 1904; each instalment shall be regarded as the rent for the month in respect of which it is payable. Each month's rent shall be payable on or before the 20th of the same month on the challan prescribed for the purpose. If such amount be less than Rs. 12, it shall be paid up in not more than three quarterly instalments commencing from 1st July 1904. The deposit of two months' rent made by the licensee, will be taken in payment of the rents due for the last two months of the period of the license. Failing payment by the 20th of the same month or before the end of the quarter for which the instalment is due, the Deputy Commissioner shall at once proceed to recover the arrears together with interest at 6 per cent under the rules in force for the collection of land revenue. No remission or abatement of the rent shall, on any account whatever, be claimable by the licensee.

(2) The licensee shall purchase Ganja and Majum from any Bonded Depot at the rates of Re. 0-13-4 and Re. 0-5-4, respectively, per seer of 80 tolas; and shall pay the price to the Mutsaddi in charge of the Depot.

(3) The rates payable as above, shall be in addition to Excise duty, which shall be prepaid into the Taluk Treasury, or into any other Government Treasury with the permission of the Deputy Commissioner, at Rs. 3-6-8 per seer of Ganja and Re. 0-11-8 per seer of Majum, (including local cess).

(4) The Ganja sold by the licensee, shall be of good quality and unadulterated, and it shall be sold by him at Rs. 10 for a seer of 80 tolas of Ganja or annas two per tola of Ganja and of Rs. 1-10-8 for a seer of Majum; and the whole stock of Ganja and Majum on hand shall be kept in the licensed shop and not elsewhere on any pretext whatever, without special permission.

(5) The licensee shall use such scales and weights as may from time to time be prescribed by Government, and provide himself with the printed forms of accounts and permits or passes for transport of Drugs, which forms shall be purchased from local Excise Officers.

(6) The licensee shall be bound to take over any Drugs which may remain as stock in hand belonging to the out-going licensee on the 1st July 1904 in the existing shop, paying to the latter such compensation for the same as may be fixed by the Deputy Commissioner.

(7) The licensee shall be bound by the rules in force, and by such further rules as may be issued from time to time by Government. He shall not during the term of his license, without the written permission of the Excise Commissioner, have any interest direct or indirect in any intoxicating drug shop outside the Mysore State or in the Civil and Military Station.

(8) No female shall be employed in the sale of intoxicating drugs.

(9) The remaining terms and conditions shall be as set forth in the prescribed license.

7. In the case of any breach of the above conditions either by the licensee, or with his connivance and privity, by any person in his employment, or in the event of the licensee neglecting to open his shop or to carry on his business with due care and attention, it shall be competent to the Deputy Commissioner to impose upon the licensee a fine not exceeding Rs. 10 for every such breach or neglect, or at the option of the Deputy Commissioner to declare the money deposited with him forfeited, and to cancel the license and to re-sell or to otherwise dispose of the privilege at the risk of the licensee; and all loss thereby caused, together with the loss accruing to Government in consequence of the licensee not carrying on his business by opening his shop on 1st July 1904 shall be made good by him. When a license is cancelled, the rent for the whole period of the license shall become due at once, which shall be recovered together with all losses as if they were arrears of land revenue.

8. The penalties laid down in the last preceding clause shall not exempt the licensee or his employees from prosecution for any offence committed against the Excise laws or rules in force.

SCHEDULE.

Vide Ganja and Opium Schedules published in the Supplement to the *Mysore Gazette*, dated 31st March 1904, subject to the following *corrigenda*:—

Page 3—*for*	11th	April 1904	..	... *read*	2nd	May 1904.
„	14th	„	...	... „	2nd	„
„	16th	„	...	... „	3rd	„
„	18th	„	...	... „	4th	„
„	19th	„	...	... „	5th	„
„	20th	„	...	... „	7th	„
Do 9—*for*	16th	„	...	... „	20th	„
„	18th	„	...	... „	21st	„
Do 11—*for*	20th	„	...	.. „	23rd	„
„	22nd	„	...	... „	24th	„
„	28th	„	...	.. „	30th	„
„	25th	„	...	... „	27th	„
Do 13—*for*	30th	„	...	... „	2nd June 1904 against Seringapatam.	
Do 15—*for*	20th	„	...	... „	19th May 1904.	
„	22nd	„	...	... „	21st	„
„	25th	„	...	... „	23rd	„
„	28th	„	...	... „	27th	„
	16th	„	...	... „	25th	„
Do 17—*for*	18th	„	...	... „	18th	„ against Kadur.
„	28th	„	...	... „	7th June 1904.	
„	11th	„	..	... „	21st May 1904.	
„	25th	„	..	... „	4th June 1904	
„	22nd	„	...	... „	1st	„
„	20th	„	..	... „	30th May 1904.	
„	18th	„	...	... „	27th	„ against Sagar.
Do 19—*for*	16th	„	...	... „	25th	„
„	14th	„	...	... „	24th	„

(ENCLOSURE IN No. 6.)

Notification.

The following rules are prescribed by the Government of His Highness the Maharaja of Mysore, for regulating the appointments and promotions in the Excise Department:—

(1) No person shall be appointed an Excise Inspector, who has not passed the Excise Test and Criminal Test of the Local Service Examinations.

(2) Claims of candidates for appointment or promotion to the post of Excise Inspector, shall be accorded preference in the following order:—
(*a*) Graduates in law who have passed the Excise Test.
(*b*) Other Graduates who have passed the Excise Test and Criminal Test.
(*c*) Under-Graduates who have passed the Excise Test and Criminal Test.
(*d*) Other persons who have passed the Excise Test and Criminal Test.

(3) Every person before being sent out as Excise Inspector, shall undergo training for a period of not less than three months in the Government Central Distillery and Excise Laboratory and in the Riding School.

(4) No person shall be appointed an Excise Assistant Inspector, who has not passed the Excise Test of the Local Service Examination.

(5) Claims of candidates for appointment or promotion to the post of Excise Assistant Inspector, shall be accorded preference in the following order:—
(*a*) Graduates who have passed the Excise Test.
(*b*) Under-Graduates who have passed the Excise Test.
(*c*) Other persons who have passed the Excise Test.

(6) No person shall be eligible to a post in the Excise Department, carrying a pay of Rs. 15 and upwards, unless he has passed at least the Matriculation Examination with Kannada as optional language.

(7) No person shall be eligible for appointment to a post carrying a pay of less than Rs. 15 per mensem, unless he has passed the Mysore Lower Secondary Examination in English or Kannada.

(8) Any officer who, on the ground of qualified men not being available, deems it necessary to appoint unpassed men, shall obtain the sanction of the Excise Commissioner; and such sanction shall not be given unless the vacancies are advertised in three successive issues of the *Mysore Gazette*, and unless in response to such notification, no applications from qualified candidates are forthcoming within a month of the last issue of such notification. In the *interim* it shall be competent to the officer to fill up the vacancies temporarily with such men as he may select

~~2/5~~

Office Draft. (Docket.)

The Mysore Government,
General & Revenue Secretariat,
Revenue Branch.

To

~~29~~

The Excise Commr
in Mysore.

S.R. 137-03

Date of passing the draft Sl. no 5.

Date of despatch 24/5/04

Regd. No. 761

File No. & date (if any) Ex 71-97

No. of Encls.

With reference to the notfn. containing rules for regulating the promotions and appointments in the Excise Dept, which appeared in the Gazette of the 24th April 04, and in continuation of this office docket no. 627 dt 22/3/04, has the honour to request that he will be so good as to ~~express~~ give his opinion

1875/7
Mcd
21.V.04

23/5

following
regarding the proposed
addition at the end
of Rule (6) viz "or unless
in the opinion of the
officer making the
appointment, he has
a fair knowledge of
that language." ~~He~~
~~do~~ The above addition
seems to be necessary
~~to~~ inasmuch as an
applicant who may be well acquainted with
~~a~~ good Kanada ~~scholar~~
may not have taken
~~not~~ Kanada as his
optional language
for the Matriculation Exam.

L. C.

23/5/04